

*City of Alexandria, Virginia*  
*Department of Planning & Zoning*

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**SPECIAL USE PERMIT CERTIFICATE**

Article XI, Division A, Section 11-510 of the 1992 Zoning Ordinance of the City of Alexandria, Virginia requires that you display this Special Use Permit in a conspicuous and publicly accessible place. A copy of the list of conditions associated with the special use permit shall be kept on the premises and made available for examination by the public upon request.

Special Use Permit	SUP #2019-0010
Approved by Planning and Zoning:	March 1, 2019
Permission is hereby granted to:	Hassal, LLC
to use the premises located at:	2922 Duke Street
for the following purpose:	see attached report

It is the responsibility of the Special Use Permit holder to adhere to the conditions approved by City Council. The Department of Planning and Zoning will periodically inspect the property to identify compliance with the approved conditions. If any condition is in violation, the permit holder will be cited and issued a ticket. The first violation carries a monetary fine. Continued violations will cause staff to docket the special use permit for review by City Council for possible revocation.

March 1, 2019  
Date

  
Karl Moritz, Director  
Department of Planning and Zoning



DATE: March 1, 2019

TO: Tony LaColla, Division Chief  
Department of Planning and Zoning

FROM: Cara DelVecchio, Non-development Case Unit Intern, Land Use Services  
Department of Planning and Zoning

SUBJECT: Special Use Permit #2019-0010  
Administrative Review for Special Use Permit for a Minor Amendment and  
Change of Ownership  
Site Use: Automobile Service Station & Convenience Store  
Applicant: Hassal, LLC  
Location: 2922 Duke Street  
Zone: CG/Commercial General Zone

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### **Request**

Special Use Permit #2019-0010 is a request to change ownership of an existing automobile service station and convenience store, known as SkyHill Shell, from Dogwood Petroleum Realty to Hassal, LLC. The applicant requests changes to the existing SUP conditions regarding the hours of operation. The current hours are 6 a.m. to 12 p.m., daily, and the proposed hours are 6 a.m. to 2 a.m., daily. All other conditions of the SUP would remain unchanged.

### **Background**

An automobile service station has been in operation on the site since 1970. City Council has approved several Special Use Permits related to the original gas station that have included the addition of a convenience store (SUP#1827A), a Subway restaurant (SUP#97-0189), and a change of ownership (SUP#2003-0012).

Due to several violations of the SUP conditions, City Council scheduled a special review of the use in 1999 and reapproved it with additional conditions (SUP#99-0118). The Subway restaurant closed in 2012. Most recently, a change of ownership was administratively approved through SUP#2014-0026 and an additional change of ownership was approved through SUP#2015-0044.

Between 2009 and 2013, a series of SUP condition violations regarding the handling of trash and maintenance of landscaping were discovered. In both instances, all violations were immediately remedied. In June 2014, a Code inspection revealed tall grass on the premises and the business owner addressed this condition promptly. A recent inspection revealed no violations of the SUP conditions.

### **Community Outreach**

Public Notice was provided through eNews, via the City's website, and by posting a placard at the site. In addition, The Longview Hill Citizens' Association have been informed of the change of the SUP request. Staff has not received any comments from residents or adjacent businesses during the noticing period.

**Staff Action**

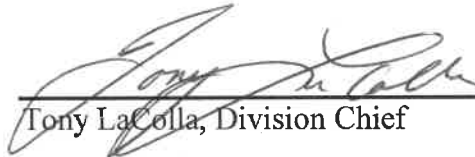
Staff does not object to the change of ownership and views it as a reasonable request. Staff believes that the minor amendment for extended operating hours is reasonable and consistent with other gas stations and convenience stores. Minor changes have been made to existing condition language and new conditions have been added in this report for consistency with modern standards. Condition #16 has been changed to reflect the minor amendment of operation hours, extending closing time from 12 a.m. to 2 a.m., daily.

Staff hereby approves the Special Use Permit request.

**ADMINISTRATIVE ACTION – DEPARTMENT OF PLANNING AND ZONING:**

Date: March 1, 2019

Action: Approved



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Tony LaColla, Division Chief

Attachments: 1) Special Use Permit Conditions  
2) Department Comments  
3) Statement of Consent

### CONDITIONS OF SPECIAL USE PERMIT #2019-0010

The owner is responsible for ensuring that the following conditions are adhered to at all times. Violation of any of the conditions may result in fines and/or referral to public hearing by the Planning Commission and City Council.

1. The special use permit shall be granted to the applicant only or to any corporation in which the applicant has a controlling interest. (P&Z) (SUP#1827)
2. No alcohol service shall be permitted; no off-premise alcohol sales are permitted. (Police) (SUP#2003-0012)
3. No food, beverages, or other materials shall be stored outside. (P&Z) (SUP#97-0189)
4. **CONDITION AMENDED BY STAFF:** Trash and garbage shall be placed in sealed containers which do not allow odors to escape and shall be stored inside or in a closed container which does not allow invasion by animals. No trash and debris shall be allowed to accumulate on site outside of these containers. Outdoor containers shall be maintained to the satisfaction of the Directors of Planning & Zoning and Transportation & Environmental Services, including replacing lids and repairing/replacing damaged dumpsters. (P&Z) (SUP-97-0189)
5. Litter on the site and on public rights-of-way and spaces adjacent to or within 75 feet of the premises shall be picked up at least twice a day and at the close of business, and more often if necessary, to prevent unsightly or unsanitary accumulation, on each day that the business is open to the public. (P&Z) (SUP#97-0189)
6. **CONDITION AMENDED BY STAFF:** The use must comply with the city's noise ordinance. Loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line. (P&Z) (~~SUP#2003-0012~~)
7. The applicant is to contact the Community Relations Unit of the Alexandria Police Department at (703)746-6796 regarding a security survey for the business and a robbery awareness program for all employees. (P&Z) (SUP#2015-0044)
8. **CONDITION AMENDED BY STAFF:** The Director of Planning and Zoning shall review the special use permit one year after approval and shall docket the matter for consideration by the Planning Commission and City Council if (a) there have been documented violations of the permit conditions which were not corrected immediately, constitute repeat violations or which create a direct and immediate adverse zoning impact on the surrounding community, (b) the director has received a request from any person to docket the permit for review as a result of a complaint that rises to the level of a violation of the permit conditions, or (c) the director has determined that there are problems with the operation of the use and that new or revised conditions are needed. (P&Z) (SUP#2015-0044)

9. The applicant shall maintain landscaping in perpetuity to the satisfaction of the Director of Planning and Zoning. (P&Z) (SUP#99-0118)
10. All waste products including, but not limited to, organic compounds (solvents), motor oil, compressor lubricant, and anti-freeze shall be disposed of in accordance with all local, state, and federal ordinances or regulations and shall not be discharged into the sanitary or storm sewers, or be discharged onto the ground. (T&ES) (SUP#99-0118)
11. The applicant shall comply with the City of Alexandria Best Management Practices manual for automotive related industries. Contact T&ES engineering division on 703-746-4065 to obtain a copy of the manual or at [http://www.alexandriava.gov/uploadedFiles/tes/info/Automotive\\_BMP\\_manual.pdf](http://www.alexandriava.gov/uploadedFiles/tes/info/Automotive_BMP_manual.pdf). (P&Z) (SUP#2014-026)
12. A parking reduction is granted for a total of 17 parking spaces (P&Z) (SUP#99-0118)
13. The applicant shall control cooking odors, smoke and any other air pollution from operations at the site and prevent them from leaving the property or becoming a nuisance to neighboring properties, as determined by the Department of Transportation & Environmental Services. (T&ES) (SUP#2003-0012)
14. **CONDITION AMENDED BY STAFF:** The applicant shall require employees who drive to work to use off-street parking. ~~and provide employees who use mass transit with subsidized bus and rail fare media. The applicant shall also post DASH and Metrobus schedules on-site for employees.~~ (P&Z) (SUP#2015-0044)
15. The applicant shall conduct employee training sessions on an ongoing basis, including as part of any employee orientation, to discuss all SUP provisions and requirements. (P&Z) (SUP#2014-0126)
16. **CONDITION AMENDED BY STAFF:** The hours of operation shall be limited to between 6:00 a.m. and ~~12:00 a.m.~~, 2:00 a.m., daily. (P&Z) (SUP#2015-0044)
17. The hours of operation shall be posted at the entrance of the business. (P&Z) (SUP#2015-0044)
18. Supply deliveries, loading, and unloading activities shall not occur between the hours of 11 p.m. and 7 a.m. (P&Z) (SUP#2015-0044)
19. **CONDITION ADDED BY STAFF:** The applicant shall encourage its employees to use public transportation to travel to and from work. The business shall contact Go Alex at [goalex@alexandriava.gov](mailto:goalex@alexandriava.gov) for information on establishing an employee transportation benefits program. (T&ES)

20. **CONDITION ADDED BY STAFF:** The applicant shall contact the T&ES parking planner at 703.746.4025 for information about applying to participate in the Discount Parking Program for Employees of Old Town Businesses (or other similar program if one is created) that offers discounted parking at select City parking facilities on evenings and weekends. (T&ES)
21. **CONDITION ADDED BY STAFF:** Chemicals, detergents or cleaners stored outside the building shall be kept in an enclosure with a roof. (T&ES)

## CITY DEPARTMENT COMMENTS

Legend: C - code requirement R - recommendation S - suggestion F - finding

### Transportation & Environmental Services:

- R-1 The applicant shall encourage its employees to use public transportation to travel to and from work. The business shall contact Go Alex at [goalex@alexandriava.gov](mailto:goalex@alexandriava.gov) for information on establishing an employee transportation benefits program.
- R-2 The applicant shall require its employees who drive to use off-street parking
- R-3 Litter on the site and on public rights-of-way and spaces adjacent to or within 75 feet of the premises shall be picked up at least twice a day and the close of business, and more often if necessary, to prevent an unsightly or unsanitary accumulation, on each day that the business is open to the public.
- C-1 The applicant shall comply with the City of Alexandria's Solid Waste Control, Title 5, Chapter 1, which sets forth the requirements for the recycling of materials (Sec. 5-1-99). In order to comply with this code requirement, the applicant shall provide a completed Recycling Implementation Plan (RIP) Form within 60 days of SUP approval. Contact the City's Recycling Program Coordinator at 703.746.4410, or via email at [commercialrecycling@alexandriava.gov](mailto:commercialrecycling@alexandriava.gov) for information about completing this form.
- C-2 The applicant shall comply with the City of Alexandria's Noise Control Code, Title 11, Chapter 5, which sets the maximum permissible noise level as measured at the property line.
- C-3 Section 5-1-42- Collection by Private collectors. (c) Time of collection. Solid waste shall be collected from all premises not serviced by the city at least once each week. No collections may be made between the hours of 11:00 p.m. and 7:00 a.m. (6:00 a.m. from May 1, through September 30) if the collection area is less than 500 feet from a residential area.

### Code Enforcement:

No comments received.

### Health Department:

No comments received.

### Parks and Recreation:

No comments received.



Police:

No comments received.

Fire:

C-1 Due to change in ownership, a new fire prevention permit is required to reflect new ownership group.

## STATEMENT OF CONSENT

The undersigned hereby agrees and consents to the attached conditions of this Special Use Permit #2019-0010. The undersigned also hereby agrees to obtain all applicable licenses and permits required for an automobile service station and convenience store at 2922 Duke Street.

Applicant – Signature

Date

HASSAN BOUSSOUF

Applicant – Printed

Date

3/4/2019

3/4/2019